

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:

DOUGLAS LEE HILKEMANN AND NICOLE
MARIE HILKEMANN,

Debtors.

CASE NO. BK 25-80271-BSK
CHAPTER 7

**STIPULATION FOR RELIEF FROM THE
AUTOMATIC STAY**

COME NOW Deere & Company ("Deere & Co."), Douglas Lee Hilkemann ("Mr. Hilkemann") and Nicole Marie Hilkemann (hereinafter, Mr. Hilkemann and Nicole Marie Hilkemann may be referred to collectively as the "Debtors"), by and through their respective attorneys, and hereby stipulate as follows:

1. On or about April 24, 2023, Mr. Hilkemann entered into a loan contract – security agreement with Deere & Co. (the "Feed Mixer Contract").
2. The obligations Mr. Hilkemann owes to Deere & Co. pursuant to the Feed Mixer Contract are secured by a purchase money security interest in a NDECO FS550 Verticle Feed Mixer, S/N 22U550D4680 (the "Feed Mixer").
3. Deere & Co. properly perfected its purchase money security interest in the Feed Mixer by filing a UCC Financing Statement in the Nebraska Secretary of State's office on May 9, 2023, filing number 9723422063-3.
4. As of the Debtors' petition date, Mr. Hilkemann owes Deere & Co. not less than \$55,166.66 pursuant to the Feed Mixer Contract.
5. On or about September 24, 2021, Mr. Hilkemann entered into a loan contract – security agreement with Deere & Co. (the "Tractor Contract").
6. The obligations Mr. Hilkemann owes to Deere & Co. pursuant to the Tractor Contract are secured by a purchase money security interest in a John Deere 5100E Utility Tractor, S/N 1LV5100EKMM410576 (the "Tractor").

7. Deere & Co. properly perfected its purchase money security interest in the Tractor by filing a UCC Financing Statement in the Nebraska Secretary of State's office on October 4, 2021, filing number 9821300944-2.

8. As of the Debtors' petition date, Mr. Hilkemann owes Deere & Co. not less than \$30,061.52 pursuant to the Tractor Contract.

9. Due to the cross-collateralization provisions in both the Feed Mixer Contract and the Tractor Contract, the Feed Mixer and Tractor are collateral for all the obligations Mr. Hilkemann owes to Deere & Co. under both contracts.

10. Mr. Hilkemann does not have any equity in the Feed Mixer or the Tractor.

11. Pre-petition, the Tractor was unlawfully stolen, and Mr. Hilkemann does not currently have possession of the Tractor.

12. The Feed Mixer and Tractor are not necessary for the Debtors' effective reorganization.

13. The Debtors do not intend to make adequate protection payments to Deere & Co.

14. Debtors have or will voluntarily surrender the Feed Mixer to Deere & Co.

15. Deere & Co. shall have relief from the stay for the purpose of obtaining possession of and liquidating the Feed Mixer and Tractor upon the Court's approval of this stipulation.

16. Should the proceeds from the sale of the Feed Mixer and/or Tractor be greater than the amounts Mr. Hilkemann owes to Deere & Co., Deere & Co. will remit any surplus sums to the Chapter 7 trustee.

17. The Parties agree to a waiver by the Court of the 14-day stay described in Bankruptcy Rule 4001(a)(3).

18. All parties entitled to notice under Fed. R. Bankr. P. 4001(a) and (d) have signed this stipulation.

Dated this 24th day of April, 2025.

DOUGLAS LEE HILKEMANN AND NICOLE MARIE
HILKEMANN, Debtors,

By: s/Francis X. Skrupa
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DEERE & COMPANY, Creditor

By: s/Brandon R. Tomjack
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Approved as to form and content, with no representation as to the facts set forth above:

s/Richard D. Myers
Richard D. Myers (#13000)
Chapter 7 Trustee
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CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2025, I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system which sent notification of such filing to all CM/ECF participants in this case.

s/Brandon R. Tomjack